

1 The Honorable Benjamin H. Settle
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT TACOMA

10 EAGLE HARBOR HOLDINGS, LLC, and
11 MEDIUSTECH, LLC,

12 Plaintiffs,

13 v.

14 FORD MOTOR COMPANY,

15 Defendant.

16 Case No. 3:11-cv-05503-BHS

17 **PLAINTIFFS' UNOPPOSED
18 MOTION TO SEAL DOCUMENTS**

19 **NOTE ON MOTION CALENDAR:
20 March 5, 2014**

21 Pursuant to Local Civil Rule CR(5)(g), Plaintiffs Eagle Harbor Holdings, LLC, and
22 MediusTech, LLC ("Plaintiffs") hereby submit this Unopposed Motion and [Proposed]
23 Order to file under seal certain materials submitted with Plaintiffs' Opposition to Defendant
24 Ford Motor Company's Rule 37 Motion to Strike.

25 The materials sought to be sealed are:

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1. Plaintiffs' Brief in Opposition to Ford's Motion to Strike;
2. The Declaration of Paul S. Min in Opposition to Ford's Motion to Strike; and

1 3. Exhibit H to Plaintiffs' Amended Asserted Claims and Infringement
2 Contentions, November 20, 2013 (Exhibit 5 to the Declaration of Floyd
3 Short).

4 These documents are submitted in support of Plaintiffs' Opposition to Ford Motor
5 Company's Rule 37 Motion to Strike (Dkt. No. 239). Ford, Microsoft, and other third
6 parties have designated documents cited and material described in Plaintiffs' Opposition
7 Brief, the Declaration of Paul S. Min, and Exhibit H to Plaintiffs' Amended Asserted Claims
8 and Infringement Contentions, as "Confidential," "Highly Confidential – Attorneys' Eyes
9 Only," or "Highly Confidential – Source Code." The parties and third parties have
10 stipulated that the sensitive material contained in documents so designated also merits filing
11 under seal.

14 Open discovery is favored in this district, and there is a presumption of access to
15 publicly-filed documents. LCR 5(g). However, Ford and various third parties have asserted
16 that the confidential and sensitive nature of the material discussed in these documents, is
17 good cause to keep them under seal, *see Myhrvold v. Lodsys Grp., LLC*, C13-1173 RAJ,
18 2013 WL 5488791, at *4 (W.D. Wash. Sept. 27, 2013) (party must show good cause to keep
19 documents under seal), and Medius does not oppose that position with respect to the
20 materials addressed by this motion. Medius respectfully requests that the documents listed
21 above remain under seal.

24 Dated: March 5, 2014

25 By: /s/ Floyd G. Short

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Counsel for Plaintiffs

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CERTIFICATE OF SERVICE

I hereby certify that on March 5, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record who have registered for electronic notifications, and I caused the sealed documents to be served upon the following by email:

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12 /s/ Floyd G. Short
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